UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
HAI MYA LAZAR,	(Giv Nia.:11155evv006227
Plaintiff,	
-against- SA WHNEY WEST CARE MEDICAL LLC, individually and d/b/a IRVING PLACE SURGERY & WELLNESS CENTER, and DR. RAMESH SA WHNEY, M.D., individually,	NOTICE OF MOTION FOR COSTS & SANCTIONS AGAINST DEFENDANTS
Defendants.	
Plaintiff Hai Mya Lazar hereby moves the Court for an	order granting Plaintiff costs for

Plaintiff Hai Mya Lazar hereby moves the Court for an order granting Plaintiff costs for having to oppose Defendants' frivolous Counterclaims, and for sanctions against Defendants for having filed such frivolous Counterclaims pursuant to F.R.C.P 11, together with any other relief the Court deems just and proper.

This motion is made on the basis that Defendants' Counterclaims for libel and slander are completely without merit, frivolous, and have absolutely no foundation in either the law or the facts. In addition, Defendants' Counterclaims fail to meet even the m,ost basic pleading requirements under the law which Defendants either failed to properly research before filing their Counterclaims, or simply ignored such law before filing. Defendants knew, or should have known that their claims lacked of merit, let alone any factual support. Consequently, Defendants' Counterclaims are frivolous and do nothing but unnecessarily delay and increase the costs of the litigation. A competent attorney could not form a reasonable belief that the Counterclaims were grounded in fact, warranted by existing law, or a good faith argument for the extension, modification, or reversal of existing law, and therefore, costs and sanctions are appropriate under F.R.C.P. 11. This motion is being filed twenty-one (21) days after service of Plaintiff's November 3, 2015 "safe harbor letter" to Defendants.

Dated: New York, New York December 9, 2015

ARCÉ LAW GROUP, PC

Attorneys for Plaintiff

By: ____/s/_ Bryan S. Arce, Esq. 30 Broad Street, 35th Floor New York, NY 10004 (212) 248-0120

CC: Ezra Glaser, Esq., *Attorneys for Defendants*; via ECF Marion Conde, Esq., *Attorneys for Defendants*; via ECF